

Court Help Program Update

Fall 2012

The following summarizes the operations of The Court Help Program of the Montana Supreme Court. The Court Help Program Self Help Law Centers have served Montana citizens on over 7,500 occasions since January 2012.

Court Help Program Self Help Law Centers assist Montanans in acquiring legal information and resources to meet their legal needs. In addition to directing customers to attorney and agency referral resources, the Court Help Program is equipped to provide forms and assist self represented litigants in successfully filing court documents.

Welcome New AmeriCorps!

Five of the self help law centers located throughout the state are staffed by Justice for Montanan's AmeriCorps service members provided by the Office of Community Service in collaboration with Montana Legal Services Association. Thanks to our training program, the Court Help Program has returned to serving all advertised locations. Thank you to everyone who was patient during our yearly staff transition phase.

In August of this year, six new members joined the Justice for Montanans project. Members were trained in Helena with two days of classes on primary service subjects: legal information vs. legal advice, family law, and finding legal resources, and much more.



The 2012 Justice for Montanans Service Members were sworn on September 10, 2012 by the Honorable Justice Beth Baker of the Montana Supreme Court.

Court Help service members then participated in a three-day on-the-ground workshop in the Yellowstone County Self Help law Center. The three new Court Help members were able to shadow second year members in order to hit the ground running in their centers.

Court Help reaches out to judges ...



Given the Court Help Program objective of increasing court efficiency, the program is working to create and enhance the awareness of already existing tools for judges and court staff as well as self represented litigants.

This fall, the Pro Bono Coordinator and Program Administrator teamed up in a series of presentations for judges and clerks of court statewide. Patty and Erin joined the honorable Judge Ortley in a presentation during the State District Court Judges Conference, October 12, 2012 in Bozeman, Montana. Judge David Ortley presented on the role of judges in facilitated access to the courts and the overall challenge of an enhanced public perception of the court system. Erin and Patty provided a description of Court Help services, reported on customer data, and illustrated the connection between self help and pro bono services.

Judge Audrey Barger joined the Court Help Program in a similar presentation to the Limited Court Judges and Clerks of Court. Erin and Patty were able to provide additional copies of the Judge's Bench Guide to Self Represented Litigants and debut the "Your Day in Court" Video created by Montana Legal Services Association and Court Help Program in December 2011. Copies of presentations by Judge Ortley and the Court Help Program are available on the Self Help Website: http://courts.mt.gov/selfhelp. If you are interested in receiving a copy of the "Your Day in Court" Video, contact Erin Farris at efarris@mt.gov.

The program also worked with the clerks of limited court interested in hosting Self Help Law Stations at their courthouses. Despite most self help forms assisting in the area of family law, many limited court clerks encounter self represented litigants who need information on where to address their issues appropriately. Limited court clerks were excited to host a station offering forms and referral information for customers whose legal issues were not necessarily appropriate for the limited court because at least these materials would "give these people information on where they can go to get the right information."



Customers are referred to Self Help Law Centers from clerks of court.



Pro Bono Spotlight



Nineteen million dollars is a whole lot of money by the standards of most. It's almost fourteen times what the average person earns in an entire lifetime. It's more than five times the annual operating budget

for Montana Legal Services Association and exceeds even the most generous Montana charitable foundation giving ten times over. But fortunately for our communities and the great state of Montana, \$19 million dollars represents the total hourly value of pro bono legal services to low-income Montanans by some 2,200 lawyers across the state in 2011 alone. This astounding figure represents in excess of 150,000 pro bono attorneys hours - or 68 hours on average. That's about nine days of work for every lawyer reporting – all for free. The downturn in the economy has chopped at legal aid budgets and contributions to legal foundations. The line between the poor and the non-poor grows thinner. "Modest means" begins to encompass many lawyers themselves – particularly those working in public service or saddled with student loans. But in spite of the same negative impact on the legal practice, pro bono remains a hopeful constant best demonstrated by the 20% increase in pro bono hours over the last two years.

The vast majority of Montana's private attorneys are sole practitioners or partnerships; the second largest group being those working in public service/government positions. The fifty hours of pro bono service outlined in the Rules of Professional Conduct can be a challenge for many attorneys — but perhaps particularly so for a one-man or woman show with limited or no staff. The goal should not be to squeeze out yet another hour from a volunteer attorney's already over-burdened day. To do so is to lose them forever to burnout. The formalization of pro bono program structure and support over the years - including those created or supported by our Statewide Pro Bono Program — is a concentrated effort to create and improve the tools and programs to assist attorneys in getting the job done with the time they have.

The delivery of pro bono services has shifted over the years from the early 20th century lawyer advocacy through organizations to current day assistance to individuals who cannot otherwise afford to hire an attorney. Nowhere is it more apparent than right here in Montana, where individual attorneys helping people one at a time takes center stage. This provision of individualized pro bono assistance has allowed us to capture and illustrate the monetary value of services provided. But it also offers us opportunity to examine the continuing impact on the people and communities in meeting those otherwise unmet legal needs long after the legal issue has been resolved. What is the collective value to us all in improving and increasing what the "access to individual safety, security and opportunity" - so accurately described in the Montana Justice Foundation vision statement – for our marginalized citizens? Lifting a wage garnishment or preventing an eviction certainly sends ripples far beyond the life of a client. The efforts of a single attorney in setting the scene for a client to transcend circumstances, crawl out of poverty and provide for her family so that she can one day provide for her own is something more than hours and dollars. As we continue the process of

assessing the full value of attorney contributions in improving the places we live, work and play, we will more fully understand the importance of supporting pro bono efforts into the future.

Court Help in Pursuit of Permanent Funding...

The Court Help Program was started in response to a nationally recognized surge in self represented litigants in state and federal courts. House Bill 60 originally proposed the program and was defeated in 2007. However, the program was eventually created and has since been supported on a "one time only" basis for three legislative cycles.

This year, the Office of the Court Administrator will request a permanent budget of \$699,408 dollars to keep the program running. On this minimal budget, the Court Help Program has been able to fund the following positions:

- One Full-time Statewide Pro Bono Coordinator,
- One Full-time Program Administrator,
- Two Full-time Self Help Law Center Facilitators located in Yellowstone and Flathead counties,
- One Three-quarter-time facilitator located in the Missoula Family Law Center, and
- One Quarter-time facilitator located in the Gallatin County Self Help Law Center.

Service provision to the entire state with only these positions would be impossible. Therefore, the Court Help Program has been fortunate to collaborate with the Montana Legal Services Association in utilizing AmeriCorps Direct Service Members to assist in staffing the Cascade County Self Help Center and providing outreach to areas not served by a full time center.

Through collaboration, self represented litigants have received services on over 30,000 occasions since the program started in 2007. The Self Help component of the program accomplishes services by utilizing collaborative strategies with the State Bar of Montana, State Law Library, Montana Legal Services Association, and a host of local organizations.

Collaboration is also essential to our Statewide Pro Bono Coordinator, who has assisted local pro bono programs in facilitating an increase of 38,000 reported pro bono hours a year since 2009.

We hope you will help us in our effort to keep this important service available for all of Montana's citizens.

Court Help Program Information on Tour ...



Erin Farris has scheduled discussions with local bar associations across the State to provide the opportunity to learn about the scope of service provided by the local self help law centers; report on self help customer data and answer questions about the design and implementation of self help program protocols.

If you are curious about the operations at your local self help center or want to know when the Court Help Program is in your community, contact Erin Farris.

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